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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
TERRY GARWOOD,)
)
Defendant.)

2:13-cr-00340-GMN-VCF-5

**STIPULATION TO CONTINUE
SENTENCING AND DISPOSITION**

IT IS HEREBY STIPULATED AND AGREED by and between Defendant, TERRY GARWOOD, by and through his counsel, TODD M. LEVENTHAL, ESQ., and the United States of America, by its counsel, ROBERT KNIEF, Assistant U.S. Attorney, that the sentencing in the above-captioned matter currently set for Thursday, October 22, 2015 be reset for at least 14 days.

This Stipulation is entered into for the following reasons

1. There is a pre-scheduled Trial at the same time of the sentencing for Mr. Garwood that Mr. Leventhal will be in.
2. Mr. Garwood is not in custody and agrees to the continuance.
3. Additionally, denial of this request for a continuance could result in a miscarriage of justice.
4. Mr. Leventhal has spoken to ROBERT , Assistant United States Attorney, and he has no objection to this continuance.

DATED this 19TH day of October, 2015.

-s-
TODD M. LEVENTHAL, ESQ.
Counsel for defendant

-s-
ROBERT KNIEF
Assistant U.S. Attorney

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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,)
Plaintiff,) 2:13-cr-00340-GMN-VCF-5
10 vs.)
11 TERRY GARWOOD,)
12 Defendant.)
13

14 **FINDINGS OF FACT**

15 Based on the stipulation of counsel, and good cause appearing, the Court finds that:

- 16 1. There is a pre-scheduled Trial at the same time of the sentencing for Mr. Garwood that
17 Mr. Leventhal will be in.
18 2. Mr. Garwood is not in custody and agrees to the continuance.
19 3. Additionally, denial of this request for a continuance could result in a miscarriage of
20 justice.
21 4. Mr. Leventhal has spoken to ROBERT , Assistant United States Attorney, and he has
22 no objection to this continuance
23

24 **CONCLUSIONS OF LAW**

25 The ends of justice served by granting said continuance outweigh the best interest of the
26 public and the Defendants in a speedy trial, since the failure to grant said continuance would be
27 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
28

3 The continuance sought herein is excludable in computing the time within which the trial
4
5 herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section
6 3161(h)(7)(A) considering the factors under Title 18, United States Code, Sections
7 3161(h)(7)(B)(i) and (ii).

9

10 Accordingly, IT IS SO ORDERED that the current Sentencing and disposition setting is
11 vacated and the same is continued and reset for November 5, 2015, at the hour of
12 10:00 a.m., in courtroom # 7D .

15 Dated this 20 day of OCTOBER, 2015.


GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE